



## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

[Docket No. TTB-2022-0002]

#### Proposed Information Collections; Comment Request (No. 87)

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau (TTB); Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of our continuing effort to reduce paperwork and respondent burden, and as required by the Paperwork Reduction Act of 1995, we invite comments on the proposed or continuing information collections listed below in this document.

**DATES:** We must receive your written comments on or before [INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments on the information collections described in this document using one of these two methods:

- *Internet* — To submit comments electronically, use the comment form for this document posted on the “Regulations.gov” e-rulemaking website at <https://www.regulations.gov> within Docket No. TTB-2022-0002.

- *Mail* — Send comments to the Paperwork Reduction Act Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005.

Please submit separate comments for each specific information collection described in this document. You must reference the information collection’s title, form or recordkeeping requirement number (if any), and OMB control number in your comment.

You may view copies of this document, the relevant TTB forms, and any comments received at <https://www.regulations.gov> within Docket No. TTB–2022–0002. TTB has posted a link to that docket on its website at <https://www.ttb.gov/rrd/information-collection-notices>. You also may obtain paper copies of this document, the listed forms, and any comments received by contacting TTB’s Paperwork Reduction Act Officer at the addresses or telephone number shown below.

**FOR FURTHER INFORMATION CONTACT:** Michael Hoover, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005; 202–453–1039, ext. 135; or complete the Regulations and Rulings Division contact form at <https://www.ttb.gov/contact-rrd>.

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

The Department of the Treasury and its Alcohol and Tobacco Tax and Trade Bureau (TTB), as part of a continuing effort to reduce paperwork and respondent burden, invite the general public and other Federal agencies to comment on the proposed or continuing information collections described below, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Comments submitted in response to this document will be included or summarized in our request for Office of Management and Budget (OMB) approval of the relevant information collection. All comments are part of the public record and subject to disclosure. Please do not include any confidential or inappropriate material in your comments.

We invite comments on: (a) Whether an information collection is necessary for the proper performance of the agency’s functions, including whether the information has practical utility; (b) the accuracy of the agency’s

estimate of the information collection's burden; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the information collection's burden on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide the requested information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information has a valid OMB control number.

### **Information Collections Open for Comment**

Currently, we are seeking comments on the following forms, letterhead applications or notices, recordkeeping requirements, questionnaires, or surveys:

*Title:* Formula and/or Process for Article Made with Specially Denatured Spirits.

*TTB Form Number:* TTB F 5150.19.

*Abstract:* In general, under the Internal Revenue Code (IRC) at 26 U.S.C. 5214, distilled spirits used in the manufacture of nonbeverage articles are not subject to Federal excise tax, and, under the IRC at 26 U.S.C. 5273, persons who intend to produce such articles using specially denatured distilled spirits (SDS) must obtain prior approval of their formulas and manufacturing processes. For medicinal preparations and flavoring extracts intended for internal human use, that section also prohibits SDS from remaining in the finished articles. Under those IRC authorities, the Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations in 27 CFR part 20 require persons to file formula and process approval requests for articles made with SDS using form TTB F 5150.19. TTB uses the collected information to ensure that the relevant provisions of the IRC are appropriately applied.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting for extension purposes only. As for adjustments, due to changes in agency estimates, TTB is decreasing the estimated number of annual respondents, responses, and burden hours associated with this collection, but is increasing the average number of responses per respondent.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 110.

- *Average Responses per Respondent:* 1.6.
- *Number of Responses:* 176.
- *Average Per-response Burden:* 44 minutes.
- *Total Burden:* 129 hours.

*OMB Control No. 1513–0024*

*Title:* Report—Export Warehouse Proprietor.

*TTB Form Number:* TTB F 5220.4.

*Abstract:* In general, under chapter 52 of the IRC, tobacco products and cigarette papers and tubes manufactured in, or imported into, the United States are subject to excise tax, while such products removed for export are not subject to that tax. The IRC provides for the establishment of export warehouses, which are bonded warehouses for the storage of tobacco products or cigarette papers or tubes, upon which the internal revenue tax has not been paid, and processed tobacco, for subsequent shipment to a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States, or for consumption beyond the jurisdiction of the internal revenue laws of the United States. See 26 U.S.C. 5702(h). To account for the receipt, storage, and disposition of untaxed tobacco products and processed tobacco, the IRC at 26 U.S.C. 5722 requires export warehouse proprietors to provide reports as prescribed by regulation. Under that authority, the TTB regulations in 27 CFR part 44 require such proprietors to file a monthly report using TTB F 5220.4, listing the amount of tobacco products, cigarette papers and tubes, and processed tobacco received, removed, lost, or unaccounted for during a given month. TTB uses the collected information to ensure that the relevant provisions of the IRC are appropriately applied and to detect diversion of untaxed products.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates, TTB is decreasing the number of annual respondents, responses, and burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 70.
- *Average Responses per Respondent:* 12 (one per month)
- *Number of Responses:* 840.
- *Average Per-response Burden:* 1 hour.
- *Total Burden:* 840 hours.

#### OMB Control No. 1513–0035

*Title:* Inventory—Export Warehouse Proprietor.

*TTB Form Number:* TTB F 5220.3.

*Abstract:* In general, under chapter 52 of the IRC, tobacco products and cigarette papers and tubes manufactured in, or imported into, the United States are subject to excise tax, while such products removed for export are not. The IRC provides for the establishment of export warehouses, which are bonded warehouses for the storage of tobacco products or cigarette papers or tubes, upon which the internal revenue tax has not been paid, and processed tobacco, for subsequent shipment to a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States, or for consumption beyond the jurisdiction of the internal revenue laws of the United States. See 26 U.S.C. 5702(h). To

account for such products, the IRC, at 26 U.S.C. 5721, requires export warehouse proprietors to take an inventory of all tobacco products, cigarette papers and tubes, and processed tobacco on hand at the commencement of business, the conclusion of business, and at other times as prescribed by regulation. Under that authority, the TTB regulations in 27 CFR part 44 require such proprietors to make opening and closing inventories, and to make inventories when certain changes in ownership and control of the business occur and when directed by TTB. Such inventories must be made using TTB F 5220.3. TTB uses the collected information to ensure that the relevant provisions of the IRC are appropriately applied, to establish a contingent excise tax liability on products not yet exported, and to detect diversion of untaxed articles.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates, TTB is decreasing the number of annual respondents, responses, and burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 70.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 70.
- *Average Per-response Burden:* 5 hours.
- *Total Burden:* 350 hours.

*Title:* Distilled Spirits Plants Warehousing Records (TTB REC 5110/02), and Monthly Report of Storage Operations.

TTB Form Number: TTB F 5110.11.

TTB Recordkeeping Number: TTB REC 5110/02.

*Abstract:* The IRC at 26 U.S.C. 5207 requires distilled spirits plant (DSP) proprietors to maintain records and submit reports of production, storage, denaturation, and processing activities as the Secretary of the Treasury (the Secretary) requires by regulation. Under that IRC authority, the TTB regulations in 27 CFR part 19 require DSP proprietors to keep certain records regarding their warehousing operations. The regulations also require DSP proprietors to submit a summary report of their storage operations to TTB on a monthly basis using form TTB F 5110.11. Under the IRC at 26 U.S.C. 5005(c), DSP proprietors remain liable for the excise tax for all stored distilled spirits, and, as such, TTB uses the collected information to ensure that the relevant provisions of the IRC are appropriately applied.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates resulting from continued growth in the number of distilled spirits plants in the United States, TTB is increasing the number of annual respondents, responses, and total burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 4,800.
- *Average Responses per Respondent:* 12 (one per month).



- *Number of Responses:* 57,600.
- *Average Per-response Burden:* 2 hours.
- *Total Burden:* 115,200 hours.

*OMB Control No. 1513–0045*

*Title:* Distilled Spirits Plants—Excise Taxes (TTB REC 5110/06).

*TTB Recordkeeping Number:* TTB REC 5110/06.

*Abstract:* Under chapter 51 of the IRC, distilled spirits produced or imported into the United States are subject to Federal excise tax, which is determined at the time the spirits are withdrawn from bond and which is paid by return, subject to regulations prescribed by the Secretary. In addition, a credit may be taken against that tax for the portion of a distilled spirits product's alcohol content derived from wine or flavors. The TTB regulations in 27 CFR parts 19 and 26 require distilled spirits excise taxpayers to keep certain records in support of the information provided on their excise tax returns, including information on the distilled spirits removed from their premises and the products' applicable tax rates, as well as records related to nontaxable removals, shortages, and losses. TTB uses the collected information to ensure that the relevant provisions of the IRC are appropriately applied, verify claims for refunds or remission of tax, and account for the transfer of certain distilled spirits excise taxes to the governments of Puerto Rico and the U.S. Virgin Islands.

*Current Actions:* There are no program changes associated with this information collection at this time, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates resulting from continued growth in the number of distilled spirits plants in the United States,

TTB is increasing the number of annual respondents, responses, and total burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 4,800.
- *Average Responses per Respondent:* 14.
- *Number of Responses:* 67,200.
- *Average Per-response Burden:* 1 hour.
- *Total Burden:* 67,200.

#### OMB Control No. 1513–0046

*Title:* Formula for Distilled Spirits under the Federal Alcohol Administration Act.

*TTB Form Number:* TTB F 5110.38.

*Abstract:* The Federal Alcohol Administration Act (FAA Act) at 27 U.S.C. 205(e) authorizes the Secretary to issue regulations regarding the labeling of alcohol beverages to prevent consumer deception and provide the consumer with adequate information as to the identity and quality of such products, which, for certain distilled spirits beverage products, may require a statement of composition. Additionally, the IRC at 26 U.S.C. 5222(c), 5223, and 5232, authorizes the Secretary to issue regulations regarding the removal and addition of extraneous substances to distilling materials or the redistillation of domestic and imported spirits. Under those statutory authorities, the TTB regulations in 27 CFR parts 5, 19, and 26 require proprietors to obtain approval of formulas for distilled spirits beverage products when operations such as blending, mixing,

purifying, refining, compounding, or treating change the character, composition, class, or type of the spirits. In place of TTB's general alcohol beverage formula form, approved under control number OMB No. 1513–0122, respondents may use TTB F 5110.38 to list ingredients, and, if required, the process used to produce the distilled spirits product in question. TTB uses the collected information to determine if such products meet the applicable statutory and regulatory requirements.

*Current Actions:* There are no program changes or adjustments associated with this information collection, and TTB is submitting it for extension purposes only.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 50.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 50.
- *Average Per-response Burden:* 1 hour.
- *Total Burden:* 50 hours.

#### OMB Control No. 1513–0063

*Title:* Stills—Notices, Registration, and Records (TTB REC 5150/8).

*TTB Recordkeeping Number:* TTB REC 5150/8.

*Abstract:* The IRC, at 26 U.S.C. 5101 and 5179, allows the Secretary to issue regulations to require manufacturers of stills to submit notices regarding the manufacture and setup of stills, and it requires all persons who possess or have custody of a still to register it with the Secretary and provide information as to its

location, type, capacity, ownership, and the purpose for which it will be used.

Under those authorities, the TTB regulations in 27 CFR part 29 require still manufacturers to provide certain notices and keep certain records regarding the manufacture and setup of stills. Those regulations also require still owners to register their stills with TTB and provide certain notices and keep certain records regarding such registrations and changes in ownership or location of stills.

Respondents may meet the prescribed record requirements by keeping usual and customary business records. TTB uses the required information to ensure that the relevant provisions of the IRC are appropriately applied.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates, TTB is increasing the number of annual respondents, responses, and burden hours for this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 20.
- *Average Responses per Respondent:* 4 (on occasion).
- *Number of Responses:* 80.
- *Average Per-response Burden:* 1 hour.
- *Total Burden:* 80 hours.

*OMB Control No.* 1513–0066

*Title:* Retail Liquor Dealers Records of Receipts of Alcoholic Beverages and Commercial Invoices (TTB REC 5170/03).

*TTB Recordkeeping Number:* TTB REC 5170/03.

*Abstract:* Under the authority of the IRC at 26 U.S.C. 5122, the TTB regulations in 27 CFR part 31 require retail alcohol beverage dealers to keep records showing the quantities of all distilled spirits, wines, and beer received, including information on from whom and when the products were received. Those regulations also require dealers to keep records of all alcohol beverage sales of 20 or more wine gallons made to the same person at the same time. At the respondent's discretion, those records may consist of usual and customary business records such as commercial invoices or a book containing the required information, maintained at their place of business or at an alternate location under the dealer's control approved by TTB. Additionally, under the IRC at 26 U.S.C. 5123, the TTB regulations require retail dealers to maintain those records for at least 3 years, available for TTB inspection during business hours. TTB uses the required information to ensure that the relevant provisions of the IRC are appropriately applied.

*Current Actions:* There are no program changes or adjustments associated with this information collection, and TTB is submitting it for extension purposes only.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 455,000.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 455,000.
- *Average Per-response and Total Burden:* None. Per the Office of Management and Budget (OMB) regulations at 5 CFR 1320.3(b)(2), regulatory

requirements to keep usual and customary business records impose no added burden on respondents.

*OMB Control No. 1513–0068*

*Title:* Records of Operations—Manufacturer of Tobacco Products or Processed Tobacco (TTB REC 5210/1).

*TTB Recordkeeping Number:* TTB REC 5210/1.

*Abstract:* The IRC at 26 U.S.C. 5741 requires manufacturers of tobacco products, cigarette papers or tubes, or processed tobacco to keep records as the Secretary prescribes by regulation. Under that authority, the TTB regulations in 27 CFR part 40 require such manufacturers to keep daily records regarding materials received and products manufactured, removed, returned, consumed, transferred, destroyed, lost, or disclosed as shortages. Those regulations provide that manufacturers may use usual and customary commercial records, where possible, to keep and maintain the required data, which must be maintained for 3 years, subject to TTB inspection upon request. TTB uses the required information to ensure that industry members comply with the tax provisions of the IRC regarding tobacco products and processed tobacco.

*Current Actions:* There are no program changes or adjustments associated with this information collection, and TTB is submitting it for extension purposes only.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits; and Individuals or households.

Estimated Annual Burden

- Number of Respondents: 235.

- Average Responses per Respondent: 1 (one).
- *Number of Responses:* 235.
- Average Per-response Burden: 2 hours.
- *Total Burden:* 470 hours.

*OMB Control No. 1513–0070*

*Title:* Tobacco Export Warehouse—Records of Operations (TTB REC 5220/1).

*TTB Recordkeeping Number:* TTB REC 5220/1.

*Abstract:* In general, chapter 52 of the IRC imposes Federal excise tax on all tobacco products and cigarette papers and tubes manufactured in, or imported into, the United States, while exempting such products removed for export, as well as all processed tobacco, from that tax. Export warehouses receive and store such non-taxpaid products until they are removed without payment of tax for export to a foreign country, Puerto Rico, or the U.S. Virgin Islands, or for consumption beyond the internal revenue laws of the United States. As authorized by the IRC at 26 U.S.C. 5741, the TTB regulations in 27 CFR part 44 require export warehouse proprietors to keep usual and customary business records showing the date, kind, quantity, and manufacturer of all tobacco products, cigarette papers and tubes, and processed tobacco received, removed, transferred, destroyed, lost, or returned to the manufacturer or to a customs bonded warehouse proprietor. TTB uses the collected information to ensure untaxpaid products are accounted for and tracked, and to detect diversion of untaxed products.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As

for adjustments, due to changes in agency estimates, TTB is decreasing the number of annual respondents, responses, and burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 70.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 70.
- *Average Per-response and Total Burden:* None. Per the OMB

regulations at 5 CFR 1320.3(b)(2), regulatory requirements to keep usual and customary business records impose no additional burden on respondents.

#### OMB Control No. 1513–0072

*Title:* Applications and Notices—Manufacturers of Nonbeverage Products (TTB REC 5530/1).

*TTB Recordkeeping Number:* TTB REC 5530/1.

*Abstract:* In general, the IRC at 26 U.S.C. 5001 imposes Federal excise tax on each proof gallon of distilled spirits produced in or imported into the United States. However, under the IRC at 26 U.S.C. 5111–5114, persons using distilled spirits to produce certain nonbeverage products (medicines, medicinal preparations, food products, flavors, flavoring extracts, or perfume) may claim drawback (refund) of all but \$1.00 per proof gallon of the Federal excise tax paid on the distilled spirits used to make such products, subject to regulations issued by the Secretary “to secure the Treasury against frauds.” Under those IRC authorities, the TTB regulations in 27 CFR part 17 require manufacturers to



submit certain applications and notices to TTB regarding their use of distilled spirits in the production of nonbeverage products eligible for drawback. Such applications, which require TTB approval, cover nonbeverage activities that present significant jeopardy to the revenue, while notices, which do not require TTB approval, cover activities that present less jeopardy to the revenue. TTB uses the collected information to ensure that TTB provides drawback of tax only to industry members eligible for such drawback under the IRC.

*Current Actions:* There are no program changes or adjustments associated with this information collection, and TTB is submitting it for extension purposes only.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits; and Individuals or households.

#### Estimated Annual Burden

- *Number of Respondents:* 350.
- *Average Responses per Respondent:* 2.
- *Number of Responses:* 700.
- *Average Per-response Burden:* 0.5 hour.
- *Total Burden:* 350 hours.

*OMB Control No. 1513–0077*

*Title:* Records of Things of Value to Retailers, and Occasional Letter Reports from Industry Members Regarding Information on Sponsorships, Advertisements, Promotions, Etc., under the FAA Act.

*Abstract:* The FAA Act at 27 U.S.C. 205 generally prohibits alcohol beverage producers, importers, or wholesalers from offering inducements to

alcohol retailers—giving things of value or conducting certain types of advertisements, promotions, or sponsorships—unless such an action is specifically exempted by regulation. Under that authority, the TTB regulations in 27 CFR Part 6, “Tied-House,” describe exceptions to the general FAA Act inducement prohibition and also describe things that are considered to be “of value” for purposes of determining whether an inducement has been offered. In general, those regulations require alcohol beverage industry members to keep records of the cost and recipients of any things of value furnished to retailers. Industry members may use usual and customary business records for this purpose. Additionally, the part 6 regulations provide that TTB may require, as part of a trade practice investigation, a letterhead report from an alcohol industry member regarding any advertisements, promotions, sponsorships, or other activities conducted by, on behalf of, or benefiting the industry member. TTB uses the collected information to ensure compliance with the FAA Act’s trade practice prohibitions and exceptions.

*Current Actions:* There are no program changes to this collection, and TTB is submitting it for extension purposes only. However, as for adjustments, due to changes in agency estimates resulting from an increase in the number of alcohol industry members, TTB is increasing this collection’s estimated number of annual recordkeeping respondents and responses, but there is no corresponding increase in burden hours as respondents keep the required information using usual and customary business records.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

Estimated Annual Burden

- *Number of Respondents:* 83,000.
- *Average Responses per Respondent:* 1 (one response per respondent for ongoing recordkeeping, and 1 response for 10 respondents for reporting).
- *Number of Responses:* 83,010.
- *Average Per-response Burden:* For recordkeeping, under the OMB regulations at 5 CFR 1320.3(b)(2), there is no per-respondent burden for the keeping of the usual of customary business records required under this collection. For the 10 respondents required by TTB to submit letterhead reports, the estimated burden is 8 hours per response.
- *Total Burden:* 80 hours.

*OMB Control No. 1513–0078*

*Title:* Applications for Permit to Manufacture or Import Tobacco Products or Processed Tobacco or to Operate an Export Warehouse and Applications to Amend Such Permits.

*TTB Form Numbers:* TTB F 5200.3, TTB F 5200.16, TTB F 5230.3, and TTB F 5230.5.

*Abstract:* The IRC at 26 U.S.C. 5712 and 5713 requires that importers and manufacturers of tobacco products or processed tobacco and export warehouse proprietors apply for and obtain a permit before engaging in such operations, or at such other times, as the Secretary may prescribe by regulation. In addition, 26 U.S.C. 5712 sets forth certain circumstances under which a permit application may be denied, such as circumstances in which an applicant is determined to be not likely to maintain operations in compliance with the IRC by reason of business experience, financial standing, or trade connections or by reason of previous or current legal proceedings involving a felony violation of any

other provision of Federal criminal law relating to tobacco products, processed tobacco, cigarette paper, or cigarette tubes. Under those authorities, the TTB regulations in 27 CFR parts 40, 41, and 44 require tobacco industry members to submit applications using the prescribed TTB forms for new permits or, under certain circumstances, amended permits. Applicants use those forms and any required supporting documents to provide information about themselves and their business, including its location, organization, financing, and investors. Once TTB issues a permit, the permittee must retain a copy of the application package for as long as they continue in business, available for TTB inspection upon request. TTB uses the collected information to ensure that only applicants eligible for a TTB permit obtain one.

*Current Actions:* There are no program changes or adjustments associated with this information collection, and TTB is submitting it for extension purposes only.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits. State, local, or tribal governments.

#### Estimated Annual Burden

- *Number of Respondents:* 470.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 470.
- *Average Per-response Burden:* 1.34 hours.
- *Total Burden:* 630 hours.

*Title:* Distilled Spirits Plant Equipment and Structures (TTB REC 5110/12).

*TTB Recordkeeping Number:* TTB REC 5110/12.

*Abstract:* The IRC at 26 U.S.C. 5178 and 5180 authorizes the Secretary to issue regulations regarding the location, construction, and arrangement of distilled spirits plants (DSPs), the identification of DSP structures, equipment, pipes, and tanks, and the posting of an exterior sign at their place of business. The IRC at 26 U.S.C. 5206 also requires DSP proprietors to mark containers of distilled spirits, subject to regulations prescribed by the Secretary. The TTB regulations concerning the identification of DSP plants, equipment, structures, and bulk containers are contained in 27 CFR part 19. Those regulations describe the required exterior identification sign, and the identification signs or marks required on DSP structures, cookers, fermenters, stills, tanks, and other major equipment. The regulations also require tank cars and trucks used by DSPs as bulk conveyances for distilled spirits to be permanently and legibly marked with identifying information and capacity. The information set forth under this information collection is necessary to protect the revenue and facilitate inspections, as TTB uses the required signs and marks to identify the location, use, and capacity of a DSP's structures, equipment, and conveyances.

*Current Actions:* There are no program changes associated with this information collection at this time, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates resulting from continued growth in the number of distilled spirits plants in the United States, TTB is increasing the number of annual respondents, responses, and total burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

Estimated Annual Burden

- *Number of Respondents:* 4,800.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 4,800.
- *Average Per-response and Total Burden:* None. The placing of the

required signs and marks by DSP proprietors is a usual and customary business practice undertaken regardless of any regulatory requirement to do so. As such, under the OMB regulations at 5 CFR 1320.3(b)(2), there is no additional respondent burden associated with this information collection.

*OMB Control No. 1513–0084*

*Title:* Labeling of Sulfites in Alcohol Beverages.

*Abstract:* The U.S. Food and Drug Administration (FDA) has determined that sulfating agents are human allergens, which can have serious health implications for persons who are allergic to sulfites. As a result, FDA regulations require food labels to declare the presence of sulfites if there are 10 parts per million (ppm) or more of a sulfating agent in a finished food product. Under the FAA Act at 27 U.S.C. 205(e), the Secretary is authorized to issue regulations requiring alcohol beverage labels to provide “adequate information” to consumers regarding the identity and quality of such products. Under that FAA Act authority and consistent with FDA’s food labeling requirements, the TTB alcohol beverage labeling regulations in 27 CFR part 4 (wine), part 5 (distilled spirits), and part 7 (malt beverages) require a declaration of sulfites on the labels of domestic and imported alcohol beverages when sulfites are present in such products at levels

of 10 or more ppm. This label disclosure is necessary to protect sulfite-sensitive consumers from products that potentially could be harmful to them.

*Current Actions:* There are no program changes to this information collection, and TTB is submitting it for extension purposes only. As for adjustments, TTB is increasing the number of respondents, responses, and burden hours associated with this information collection due changes in agency estimates resulting from growth in the number of alcohol beverage producers and importers, as well as growth in the number of alcohol products subject to this information collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 30,570.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 30,570.
- *Average Per-response Burden:* 40 minutes.
- *Total Burden:* 20,380.

#### OMB Control No. 1513–0097

*Title:* Notices Relating to Payment of Firearms and Ammunition Excise Tax by Electronic Funds Transfer.

*Abstract:* Under the IRC at 26 U.S.C. 6302, TTB collects the firearms and ammunition excise tax imposed by 26 U.S.C. 4181 on the basis of a return that taxpayers file on a quarterly basis. That section also authorizes the Secretary to issue regulations concerning the payment of taxes by electronic funds transfer (EFT). Under the TTB regulations in 27 CFR part 53, persons who elect to begin

or discontinue payment of firearms and ammunition excise taxes by EFT must submit a written notice to TTB regarding such actions. TTB uses those notifications to anticipate and monitor firearms and ammunition excise tax payments to ensure compliance with Federal law.

*Current Actions:* There are no program changes associated with this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to a change in agency estimates, TTB is increasing the per-response and total burden for this collection. The number of respondents and responses remain the same as previously reported.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 10.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 10.
- *Average Per-response Burden:* 24 minutes.
- *Total Burden:* 4 hours.

*OMB Control No.* 1513–0098

*Title:* Supporting Data for Nonbeverage Drawback Claims.

*TTB Form Number:* TTB F 5154.2.

*Abstract:* Under the IRC at 26 U.S.C. 5111–5114 and 7652(g), persons using distilled spirits to produce medicines, medicinal preparations, food products, flavors, flavoring extracts, or perfume may claim drawback (refund) of all but \$1.00 per proof gallon of the Federal excise tax paid on the distilled spirits used to make such nonbeverage products, subject to regulations prescribed by



the Secretary. As required by the TTB regulations in 27 CFR parts 17 and 26, when submitting nonbeverage product drawback claims to TTB, respondents are required to report certain supporting data regarding the distilled spirits used and the products produced, using form TTB F 5154.2. TTB uses the collected information to ensure that drawback of Federal excise tax is provided only to eligible entities.

*Current Actions:* There are no program changes to this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to changes in agency estimates, TTB is decreasing the number of respondents, responses, and burden hours associated with this collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profits.

#### Estimated Annual Burden

- *Number of Respondents:* 500.
- *Average Responses per Respondent:* 4 (on occasion)
- *Number of Responses:* 2,000.
- *Average Per-response Burden:* 1 hour.
- *Total Burden:* 2,000.

*OMB Control No. 1513–0106*

*Title:* Record of Operations—Importer of Tobacco Products or Processed Tobacco.

*Abstract:* The IRC at 26 U.S.C. 5741 requires all manufacturers and importers of tobacco products, processed tobacco, and cigarette papers and tubes, and all export warehouse proprietors to keep records as the Secretary prescribes by regulation. Under that authority, the TTB regulations in 27 CFR

part 41 require importers of tobacco products or processed tobacco to maintain the usual and customary business showing the receipt and disposition of imported tobacco products or processed tobacco. TTB uses the collected information to ensure that importers' activities comply with the IRC and that processed tobacco, which is not taxed, is not diverted to taxable tobacco product manufacturing.

*Current Actions:* There are no program changes to this information collection, and TTB is submitting it for extension purposes only. As for adjustments, due to a change in agency estimates, TTB is decreasing the estimated number of respondents and responses to this collection. However, there is no corresponding increase in the burden hours for this collection as it consists of usual and customary business records, which impose no additional burden on respondents per the OMB regulations at 5 CFR 1320.3(b)(2).

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profits.

*Estimated Annual Burden*

- *Number of Respondents:* 350.
- *Average Responses per Respondent:* 1 (one).
- *Number of Responses:* 350.

- *Average Per-response and Total Burden:* None. Per the Office of Management and Budget (OMB) regulations at 5 CFR 1320.3(b)(2), regulatory requirements to keep usual and customary business records impose no added burden on respondents).

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